

ORDINANCE NO. 84°

An Ordinance granting to W. J. Robinson, **his** heirs, executors, adminiistrators and assigns, the **right**, privilege and permission to **construct**, lay dom and maintain, a railroad track, of standard gauge, and to pass with, and operate, with locomotives and **cars**, propelled by steam, or other **lawful** motive power, over, along, **upon** and across, certain streets, portions of streets, and other places in the City of Lodi, County of **San** Joaquin, **State of** California.

BE IT ORDAINED by the Board of Trustees of the City of Lodi, as follows:-

Section 1. The City of Lodi hereby grants to W. J. Robinson, who is a resident of, and who *i s* doing and transacting business in, the City of Lodi, County of **San** Joaquin, State of California, his heirs, executors, **administrators** and assigns, for the term and period hereinafter named, subject to all of the terms and limitations hereinafter made and expressed, the franchise, right, privilege and permission to construct, **lay** down and maintain, **over**, **along**, upon and across, those certain streets, portions of streets, **and** other places in the City of Lodi, County of **San** Joaquin, State of California, **as** hereinafter described, **a** railroad track, and to **pass** with, and operate, a steam, electric, or other lawful motive power railroad thereon, and to construct **and** maintain thereon, a roadbed of standard broad gauge width, **and**, to lay down and to maintain thereon, **a** track of **standard** width, together with the necessary curves, **crossings** and connections, **for** the convenient use thereof, and to **run** locomotives and cars, and electric engines, and cars propelled **by** electricity thereon; and which said streets, **and** **portions** of streets, and other places in **said** City of Lodi, County of **San** Joaquin, State of California, and said roadbed and track, **curves**, **cross-**
ings, and **connection8** are as follows:

A **Spur** Track, beginning **on** the main line of Central California Traction Company's Track, at Station 716±72, (according to the **Official**

Maps of the above named Company), and running thence Northwesterly on a curve to the right, with a radius of 100 feet, a distance of 66 feet; thence with a radius of 120 feet, a distance of 100 feet; thence with a radius of 100 feet, a distance of 22 feet; thence along a tangent 70 feet, to the North property line of Lots Nos. Seven (7) and Eight (8), in Block No. Twenty-five (25), in said City of Lodi.

And for the purpose of conforming to the foregoing, and so that the aforesaid Spur may be constructed and used, the Central California Traction Company is granted the right, privilege and permission to remove its present switch, and section of track, which said switch, and section of track, begins at Station 717 ± 02, and running Westerly approximately 80 feet, to the passing track of the above named Company on Lodi Avenue, and to install, place, maintain, and operate a new switch, and section of track, connecting the hereinbefore described Spur Track, to the said passing track of said Central California Traction Company, on said Lodi Avenue, and which said switch, and section of track, begin on the aforesaid Spur Track, at a point approximately 33 feet from the switch point of said Spur Track, and run thence Westerly, approximately 75 feet, to, and connecting with, the said passing track of said above named Company.

Sec. 2 The franchise, rights, privileges and permissions herein granted to said Grantee are dependent for their continuance and validity upon the performance by said Grantee in full of all conditions as hereinafter set out, to-wit:-

First- Said Grantee shall, in all cases, construct, lay down and maintain his said roadbed in said City of Lodi to the official grade of the said streets and portions of streets in said City of Lodi, and shall not construct or raise any portion of his road to a greater height than said official grade, unless with the permission of the said Board of Trustees, of the City of Lodi.

Second- Said Grantee **shall** construct suitable culverts for the passage of water at such points on said roadbed as **shall** be selected by the Board of Trustees of the City of Lodi, now, or at **any** time during the life of said **franchise**, and **shall keep such** culverts in constant repair.

Third- Said Grantee shall, upon the order of the said Board of Trustees of the City of Lodi, grade **or** regrade, gravel **or** regravell, plank **or** replank, pave **or** repave, macadamize **or** remacadamize, pile **or** repile, with such material **as shall** be ordered **by** said Board of Trustees, of the Said City of Lodi, any and **all** portions of said streets along which the track is laid, between the rails thereof, and **for** a width extending two feet on each side of said track,

He shall keep the **same**, including the crossings, constantly in repair and flush with the streets, and in case crossings are taken **up** they must be replaced immediately after the completion of the **work**. All work must be done under the supervision and to the satisfaction of the Superintendent **of** Streets, **and** in no case shall said Grantee, **his** heirs, or assigns, be permitted to run **or** operate said railroad **on** said streets **or** portions of streets where the said track **is** laid until the **same** shall have been approved by the Superintendent of Streets, and by this Board of Trustees,

Sec. 3. The franchise, rights, privileges and permissions hereby granted, are hereby granted **for** such term, period and length of time, **as shall** meet with the pleasure of this Board of Trustees.

Sec. 4. Said Grantee **shall** keep his roadbed and track in good condition , with proper slopes to enable teams to pass and repass thereon •

Sec. 5 All privileges and rights required by said Grantee for the construction and maintenance of said roadbed, track, curves, crossings and connections through private property, and upon grades made by private persons **are** to be **by** said Grantee secured from the owners of

such property.

Sec. 6 If the ~~said~~ Grantee shall fail for thirty days to accept, in writing, filed with the City Clerk of the City of Lodi, the franchise, rights, privileges and permissions herein granted, or to commence in good faith and duly prosecute the construction of his ~~said~~ railroad within sixty days from the date of the approval of this Ordinance, then **this** Ordinance shall be of no force and effect as a grant unto the said Grantee.

Sec. 7. This Ordinance shall take effect and be in force from and after its passage and approval.

me foregoing ordinance was introduced for passage at a, regular ^{adjourned} meeting of the Board of Trustees of the City of Lodi, held on the 14th day of February, 1916, and on the 21st day of February, 1916, which was more than five days thereafter, was, at a regular meeting of said Board of Trustees, held on the 21st day of February, 1916, finally passed by the following vote:

Ayes: Trustees. Hale, Black, Keeney, Deaver and Folendorf.

Noes: None.

AS, sent: None.

I hereby sign, approve and pass the foregoing Ordinance this 28th day of February, 1916.



J. O. Hale

President of the Board of Trustees of the City of Lodi, and as the Executive of said City of Lodi.

Attest this 28th day of February, 1916.

W. S. Blank

City Clerk of the City of Lodi, and Clerk of the Board of Trustees of said City of Lodi.